



PATENT
ATTORNEY DOCKET NO.: 47237.0308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Toshihiko Ashikari et al.) Confirmation No.: 8892
)
Application No.: 08/894,357) Group Art Unit: 1638
)
Filed: August 18, 1997) Examiner: Medina A. Ibrahim
)
For: GENE ENCODING A PROTEIN HAVING)
ACYL GROUP ACTIVITY)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, MAIL STOP AMENDMENT
Randolph Building
Alexandria, VA 22314

Sir:

RESPONSE TRANSMITTAL FORM

1. Transmitted herewith is a Response to the Office Action dated March 21, 2006, responding to the Office Action of November 21, 2005.
2. Additional papers enclosed:

☐ Submission of Replacement Drawing Sheets
☐
☐

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$120.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus			x \$50 each =	+ .00
Independent Claims (37 C.F.R. §1.16(b))		minus			x \$200 each =	+ .00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						.00

6. Fee Payment

- ☒ Enclosed is Check No. 35671 in the amount of \$120.00.
- ☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of _____.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

Dated: April 12, 2006

By: 

Mercedes K. Meyer, Ph.D., Esq.

Reg. No. 44,939

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